

1  
2  
3  
4  
5  
6  
7 IN THE UNITED STATES DISTRICT COURT  
8 FOR THE EASTERN DISTRICT OF CALIFORNIA

9 GREGORY LYNN NORWOOD,

10 Plaintiff, No. CIV S-03-2554 GEB GGH P

11 vs.

12 STEVE J. VANCE, et al.,

13 Defendants. ORDER

14 \_\_\_\_\_ /  
15 The court has received the referral notice, filed March 8, 2012, from the Court of  
16 Appeals, which remanded this case for the limited purpose of determining whether in forma  
17 pauperis status should continue on appeal, or whether the appeal is frivolous or taken in bad  
18 faith.

19 The court has reviewed the record and finds that the appeal is not frivolous and is  
20 taken in good faith. Revocation of plaintiff's in forma status is not appropriate.

21 Plaintiff has also moved in this court for production of "transcripts." (Doc. No.  
22 220). No hearing was conducted in connection with the appealed order, and accordingly no  
23 transcript exists. See Order entered February 6, 2012 (denying, among other things, plaintiff's  
24 motion for an evidentiary hearing). To the extent plaintiff seeks an order from this court  
25 directing the United States to pay the expenses of printing the record on appeal, pursuant to 28  
26 U.S.C. § 1915(c), the motion is denied because the certificate of record has already been filed.

1 See Doc. No. 218-2. The certificate reads, in pertinent part, that the trial court clerk's record is  
2 ready for the purpose of appeal and that it will be transmitted to the Court of Appeals upon  
3 direction of the Clerk of the Court of Appeals. Id. ACCORDINGLY, the motion for transcripts  
4 (docket #220) is denied as unnecessary.

5 The Clerk of the Court shall serve the United States Court of Appeals for the  
6 Ninth Circuit with a copy of this order (Appeal No. 12-15354).

7 DATED: March 13, 2012

8 /s/ Gregory G. Hollows  
9 UNITED STATES MAGISTRATE JUDGE

10 GGH:rb  
11 norw2554.ifp referral on appeal

12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26